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SENATE

REPORT
101-313

SELMA TO MONTGOMERY NATIONAL TRAIL STUDY ACT OF 1989

JUNE 7 (legislative day, APRIL 18), 1990.—Ordered to be printed

Mr. JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany H.R. 3834]

The Committee on Energy and Natural Resources to which was referred the act (H.R. 3834) amending the National Trails System Act to designate the route from Selma to Montgomery for study for potential addition to the National Trails System, having considered the same, reports favorably thereon without amendment and recommends that the act do pass.

PURPOSE OF THE MEASURE

The purpose of H.R. 3834, as ordered reported, is to amend the National Trails System Act to designate the route from Selma to Montgomery, Alabama, for study for potential addition to the National Trails System.

BACKGROUND AND NEED

In early 1965, a series of protest marches was organized in Selma, Alabama as part of a black voter registration drive. The protests culminated in plans for a mass march beginning in Selma and ending in Montgomery. On Sunday, March 7, 1965, 525 marchers began the walk.

At the southern edge of Selma, at the Edmund Pettus Bridge, the marchers were confronted by State troopers and other police. In what became known as "Bloody Sunday", 17 marchers were hospitalized and 70 others injured when the police drove the marchers back with billy clubs, police dogs and tear gas. After the Sunday confrontation, several demonstrations sympathetic with the march-

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ers were held throughout the country. A second march to Selma was attempted on March 9th, but the attempt was blocked and the marchers turned back without incident.

Finally, on Sunday, armed with a Federal court order, and under the protection of 1,900 members of the Alabama National Guard, 2,000 Army troops, and over 200 FBI agents and U.S. Marshals, the march proceeded to Montgomery, arriving on Wednesday, March 24th. On Thursday, over 25,000 people demonstrated on the steps of the Alabama State Capitol.

In response to the events in Selma, President Johnson addressed a joint session of Congress on March 15, 1965. The march and the events surrounding it were an important factor in Congress' subsequent enactment of the Voting Rights Act that August.

H.R. 3834 would provide for a study of the route of this historic march to determine its suitability for inclusion in the National Trails System.

Legislative History

An identical measure, S. 2067, was introduced by Senator Kerry on February 5, 1990. Senators Heflin, Shelby and Fowler were subsequently added as cosponsors. Congressman John Lewis introduced H.R. 3834, which passed the House of Representatives by a vote of 400–0 on March 20, 1990. The Subcommittee on Public Lands, National Parks and Forests held a hearing on both measures on May 17, 1990.

At the business meeting on May 23, 1990, the Senate Committee on Energy and Natural Resources ordered H.R. 3834, favorably reported.

Committee Recommendations and Tabulation of Votes

The Senate Committee on Energy and Natural Resources, in open business session on May 23, 1990, by a unanimous vote of a quorum present, recommends that the Senate pass H.R. 3834, as described herein.

The rollcall vote on reporting the measure was 19 yeas, 0 nays, as follows:

YEAS	NAYS
Mr. Johnston	
Mr. Bumpers	
Mr. Ford	
Mr. Bradley	
Mr. Bingaman*	
Mr. Wirth	
Mr. Conrad*	
Mr. Heflin*	
Mr. Rockefeller	
Mr. Akaka	
Mr. McClure*	
Mr. Hatfield*	
Mr. Domenici	
Mr. Wallop	
Mr. Murkowski	

Mr. Nickles
Mr. Burns
Mr. Garn*
Mr. McConnell*

* Indicates voted by proxy.

Summary of H.R. 3834

H.R. 3834 amends section 5(c) of the National Trails System Act to study the approximately 54 mile route from Selma to Montgomery, Alabama for potential addition to the National Trails System.

Cost and Budgetary Considerations

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

U.S. Congress,
Congressional Budget Office,
Washington, DC, May 24, 1990.

Hon. J. Bennett Johnston, Jr.,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has reviewed H.R. 3834, the Selma to Montgomery National Trail Study Act of 1989, as ordered reported by the Senate Committee on Energy and Natural Resources, May 23, 1990.

The act would require the National Park Service (NPS) to study, for possible designation as a national historic trail, the route from Selma to Montgomery, Alabama traveled by a march for voting rights legislation in March 1965. Based on information provided by the NPS, CBO estimates that the cost of preparing the study would be about $150,000. Because the act would require that the study be completed within one year of enactment, most of this amount would be spent during fiscal year 1991, assuming that the legislation is enacted late in fiscal year 1990 and that the necessary sums are appropriated.

Enactment of this legislation would not affect the budgets of state or local governments.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis, who can be reached at 226-2860.

Sincerely,

Robert D. Reischauer,
Director.

Regulatory Impact Evaluation

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 3834. The Act is not a regulatory measure in the sense of imposing Government established standards of significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact of personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 3834, as reported.

Executive Communications

On April 30, 1990, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth executive views on H.R. 3834. These reports had not been received at the time the report on this Act was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the Department of the Interior follows:

Statement of James W. Stewart, Assistant Director, National Park Service, Department of the Interior

Mr. Chairman, I appreciate this opportunity to provide your Subcommittee with the views of the Department of the Interior on this legislation.

We strongly recommend the enactment of either S. 2067 or H.R. 3834.

The bills would amend section 5(c) of the National Trails System Act by adding a new paragraph designating the 54-mile route from Selma to Montgomery, Alabama, for study as a potential component of the National Trails System. The study report would be required to be submitted to the Congress within 1 year.

The proposed Voting Rights Act of 1965, intended to assure the legal right to vote for all Americans, was pending in Congress in March of 1965, when a group of citizens in support of the legislation attempted to walk the 54 miles from Selma to Montgomery, Alabama. On Saturday, March 7, the group of approximately 525 were met in Selma by police dogs and billy clubs. Scenes of bloodshed in the media shocked the Nation. After a second attempt, the 3-day journey was completed when National Guards, Regular Army, FBI agents and U.S. Marshalls were sent to protect the demonstrators. The Voting Rights Act was signed into law on August 6, 1965.

Mr. Chairman, the events of March 1965 in Selma clearly marked a turning point in the social history of this Nation. The fact that citizens shed their blood to demonstrate their support for the right to vote should never be forgotten. We believe a study of the route followed by those marchers would be the best way to determine how the Nation should honor and remember those who participated and what they stood for.

We estimate the cost of the study to be $150,000. Existing funds would be reprogrammed as necessary to complete the study within the 1-year period specified in the legislation. We would attempt during the study to deter-

mine which sites along the route hold special potential for interpreting the story.

A draft study report would be developed and issued for public review. Public comments would be evaluated and then the final report would be submitted for review and transmittal to the Congress.

This concludes my prepared remarks. I would be pleased to respond to any questions you may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes the following changes in existing law made by the Act, H.R. 3834, as reported (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law to which no change is proposed is shown in roman):

NATIONAL TRAILS SYSTEM ACT

(82 Stat 919, as amended, 16 U.S.C. 1244)

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NATIONAL SCENIC AND NATIONAL HISTORICAL TRAILS

SEC. 5. (a) * * *

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(c) The following routes shall be studied in accordance with the objectives outlined in subsection (b) of this section:

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(33) The route from Selma to Montgomery, Alabama traveled by people in a march dramatizing the need for voting rights legislation, in March 1965, includes Sylvan South Street, Water Avenue, the Edmund Pettus Bridge, and Highway 80. The study under this paragraph shall be prepared in accordance with subsection (b) of this section, except that it shall be completed and submitted to the Congress with recommendations as to the trail's suitability for designation not later than 1 year after the enactment of this paragraph.

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